



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2303669
Applicant Name : Kenneth MacInnes
Address of Proposal: 310 30th Avenue East

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for construction of a 1,265 square foot addition to the main building of an existing private school. Project includes demolition of a 500 square foot building which will be replaced by the 1,265 square foot addition. (The Valley School)

The following approval is required:

Administrative Conditional Use - To allow an institution in an SF 5000 zone.
(Seattle Municipal Code Chapter 23.44.022)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject property is located at 310 30th Avenue East within a Single Family 5000 zone (SF 5000). There are 5 existing buildings which serve The Valley School children. Students are pre-Kindergarten through grade 5. There are playgrounds on the site. The site is L-shaped

located at the northeast corner of East Thomas Street and 30th Avenue East. Building 5 is across the alley from the rest of the institution at the northwest corner of East Thomas Street and 31st Avenue East. Properties in all directions are zoned Single Family 5000 (SF 5000).

Proposal Description

The proposal is to replace a building. New construction will be a 1,265 square foot addition in place of the demolition.

Public Comment

No comment letters were received during the official public comment period, which ended April 14, 2004.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS **(SMC 23.44.018)**

- A. *Only those conditional uses identified in this subchapter as conditional uses may be authorized as conditional uses in single family zones. The Master Use Permit process shall be used to authorize these uses;*

The Land Use Code allows private schools as an institutional use allowed through the Administrative Conditional Use approval process.

- B. *Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright;*

This proposal is subject to development standards SMC 23.44.008 through 23.44.016.

- C. *A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located;*

This decision shall be based on whether the proposed use meets the development criteria and conditional use criteria as described in SMC 23.44.022 A through M. A day care has operated at this location since 1984 and the school use since 1991. The City recognizes the public benefit that institutions, such as these have made by providing educational and cultural opportunities to their communities. The criteria for this expansion shall be examined, and the project will be conditioned if necessary to prevent detriment or injury to property in the vicinity.

- D. *In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located;*

The criteria described in SMC 23.44.022 A through M is used to evaluate the proposal and condition, if necessary, to protect other properties and the public interest.

- E. Any use which was previously authorized by a conditional use permit but which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit.*

The use at this site has been not been discontinued.

- F. Minor structural work which does not increase usable floor area or seating capacity and does not exceed the development standards applicable to the use shall not be considered an expansion, unless the work would exceed the height limit of the zone for uses permitted outright.*

An expansion is proposed with this application.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.44.022)

The Seattle Land Use Code (SMC 23.44.022 A) provides that institutions such as private schools may be permitted as conditional uses in single family zones. Sections 23.44.022D through M set forth criteria to be used to evaluate and/or condition the proposal. The applicable criteria are discussed below.

D. General Provisions

New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.

According to the plans submitted with the application, the proposal meets the applicable development standards enunciated in Section 23.44.008 through 23.44.016.

E. Dispersion

The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred feet (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.

The proposal does not meet the dispersion requirement. The lot line of this property is less than 600 feet from another institution, a School (Martin Luther King Elementary School). In 1984 the daycare center was permitted by Administrative Conditional Use. The school is approximately 420 feet southwest of the Martin Luther King Elementary School. The project East Thomas and 30th Avenue East. One and one-half block away is

32nd Avenue East which is an arterial serving traffic headed north and south. The arterial is busy especially when the public school drop off and pick up occurs. 32nd Avenue East is an interruption in the surrounding single family neighborhood. Therefore the Director determines that the arterial is significant enough to provide appropriate separation from other institutions. Approximately six (6) single family homes are between the Martin Luther King Elementary School and the proposal. There has been an institutional use at this site from 1984 and Martin Luther King Elementary School since 1959. The two institutions have both been in operation for approximately 20 years. The Director determines that 32nd Avenue East is a significant break in the neighborhood fabric and allows less than the code required 600 feet.

F. Demolition of Residential Structures

No residential structure shall be demolished nor shall its use be changed to provide for parking.

No demolition of residential structures is proposed for parking; therefore, this criterion is not applicable.

G. Reuse of Existing Structures

Existing structures may be converted to institution use if the yard requirements for institutions are met.

The yard requirements are met.

H. Noise and Odors

For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.

The proposal is not expected to generate increased noise or odors. None of the activities proposed as part of the typical, non-emergency use of the site will exceed the maximum permissible sound levels as established and modified in the SMC Chapter 25.08. The parking requirements were waived in 1992 permit. Play areas currently exist and are not expected to create more noise. The play areas will be used intermittently during the day. The center closes in mid-afternoon so there will be no evening play area activities

I. Landscaping

Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.

The overall landscape design will continue to buffer the facility from adjacent residences and help integrate the building into the single family residential neighborhood. The proposal includes shade trees, shrubs and flowering plants and a mixture of coniferous and deciduous trees and shrubs. Storm water runoff will be directed away from pedestrian and play areas, ground cover and pervious surfaces will help control erosion. The building was designed to reduce the appearance of bulk with modulated facades, and with single family height and scale in mind.

J. Light and Glare

Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.

All exterior lighting will direct light downward to minimize light and glare on neighboring properties.

K. Bulk and Siting

1. Lot Area. If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:

- a. For lots with unusual configuration or uneven boundaries, the proposed principal structures are located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.*

The building is situated in the previous building's footprint and retains a single family-type development pattern.

- b. For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential structures.*

The proposal includes architectural features that help it to integrate in bulk and scale with the surrounding single family neighborhood. The setback requirements are met.

Yards. Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such structure other than freestanding walls fences, bulkheads or similar structures shall be closer than ten feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5') after finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.

The proposal meets this requirement.

2. *Height Limit. A religious symbol and that portion of the roof supporting it, including but not limited to a belfry or spire, may be extended an additional twenty-five feet (25') above the height limit.*

This provision is not applicable.

4. *Facade Scale. If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.*

The proposed structure includes façade modulation, roof line variation, landscaping and variation in fenestration to minimize the appearance of bulk. No further mitigation is required.

L. Parking and Loading Berth Requirements

SMC 23.44.022.L provides that the Director may modify the parking and loading requirements of Section 23.54.15, required parking, and the requirements of Section 23.44.016, parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section. The modification shall be based on adopted City Policies and shall:

The project received a parking waiver for off street in Permit #9802095 in 1998. This permit does not re-establish off street parking for the project.

M. Transportation Plan

A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces.

A transportation plan is not required for this expansion. The project's former conditions regarding transportation issues will be revised. Conditions are enumerated at the end of this document. For instance, a small transportation information center will be required to be installed in the building to give employees and clients up-to-date information on available nearly transportation, carpool groups and ride share options. Also a sign will be permanently mounted, visible to all employees informing them that the Valley School will pay 30% of the cost of a monthly or annual Metro bus pass for any Valley School Employee.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **APPROVED WITH CONDITIONS** as indicated at the end of this document.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

For the Life of the Project

1. Enrollment is limited to 100 students.
2. A transit information center will be established on site to encourage patrons and employees to use transit alternatives.
3. A sign will be permanently mounted, visible to all employees, stating that the Valley School will pay 30% of the cost of a monthly or annual Metro bus pass for any Valley School Employee.
4. The school shall designate a staff person as the Institution Transportation Coordinator. Such person shall have the duty of encouraging and facilitating carpool and other transportation plan requirements.
5. The owner(s) and / or responsible party(s) shall maintain and replace all on-site landscaping as shown on the plans approved by the Land Use Planner. The landscaping shall remain well-kept and fully installed.

Signature: _____ (signature on file) Date: June 7, 2004
Holly J. Godard, Land Use Planner
Department of Planning and Development

HJB:bg

I:\GodardH\projects\acu\2303669 Valley School.doc